



**Office of the Administrative Director — Financial Services Division**

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**Thomas R. Keller**  
ADMINISTRATIVE DIRECTOR

**Walter M. Ozawa**  
DEPUTY ADMINISTRATIVE DIRECTOR

June 4, 2009

**MEMORANDUM**

TO WHOM IT MAY CONCERN

FROM: JANELL KIM, FINANCIAL SERVICES ADMINISTRATOR

SUBJECT: **ADDENDUM NO. 1, INVITATION FOR BIDS NO. J09143  
TO FURNISH SCANNING SERVICES OF COURT DOCUMENTS FOR  
THE FIRST JUDICIAL CIRCUIT**

Transmitted herewith is one copy of ADDENDUM NO. 1 for your review. Should you have any questions, please contact Jonathan Wong in the Contracts & Purchasing Office at (808) 538-5805, FAX (808) 538-5802, or email [jonathan.h.wong@courts.state.hi.us](mailto:jonathan.h.wong@courts.state.hi.us). Technical questions may be directed to Gail Hedani of the Information Technology & Communications Division at (808) 538-5348, FAX (808) 538-5377, or email [gail.k.hedani@courts.state.hi.us](mailto:gail.k.hedani@courts.state.hi.us).

A handwritten signature in cursive script, appearing to read "Janell Kim".

Janell Kim  
Financial Services Administrator

JK/JW:jw

Transmittal

**INVITATION FOR BIDS NO. J09143**

**TO FURNISH SCANNING SERVICES OF COURT DOCUMENTS FOR  
THE FIRST JUDICIAL CIRCUIT**

**ADDENDUM NO. 1**

**June 4, 2009**

**A. Modifications to ATTACHMENTS:**

1. **SPECIAL CONDITIONS** attached to this Addendum No. 1 regarding confidentiality of files are added to the ATTACHMENTS (Section Four) of this IFB.

**B. The following questions were submitted and are being answered in accordance with this RFP:**

1. **QUESTION:** Can Bidders see the documents to view the condition of the documents, number of pages and indexes, etc. to get a feel for the effort needed to disassemble and re-assemble the case folders.

**ANSWER:** Juvenile records are confidential; therefore a confidentiality agreement must be signed prior to viewing the case files. Arrangements for viewing the documents must be coordinated with Laurie Maeda of the First Circuit Court at 539-4315.

2. **QUESTION:** (Section 2.4.a.) Regarding the 3 consecutive years of scanning services in the State of Hawaii, do the jobs need to be for State government agencies only?

**ANSWER:** No, they can also be for private companies.

3. **QUESTION:** (Section 2.4.c.) What is a local representative?

**ANSWER:** A local business office on Oahu to whom the officer-in-charge may contact during normal business hours in the event of problems, issues, questions, etc.

**END OF ADDENDUM NO. 1**

**SPECIAL CONDITIONS  
INVITATION FOR BIDS NO. J09143  
TO FURNISH SCANNING SERVICES OF COURT DOCUMENTS FOR  
THE FIRST JUDICIAL CIRCUIT**

The Judiciary and Contractor agree to the following Special Conditions:

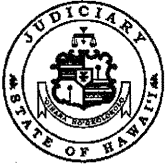
1. All Family Court case files (hereinafter "case files") are confidential and shall not be disclosed without the prior written approval of the Judiciary.
2. Contractor shall be solely responsible for the case files upon receipt from the Judiciary, and shall safeguard all files. Contractor shall have written procedures in place to ensure that the case files are secured, and shall provide a copy of the written procedures to the Judiciary. As appropriate, Contractor shall implement technological safeguards<sup>1</sup> to reduce the risk of unauthorized access to the case files.
3. Access to the case files shall be strictly limited to those individuals with a legitimate business need to perform services required by this Agreement. Contractor shall inform employees, subcontractors, or anyone given access to the case files, that such records are confidential, and shall provide training on its written security procedures.
4. All individuals given access to the case files shall have been subject to and have passed a criminal history background check designed to reasonably assure the individual's trustworthiness and mitigate the risk that (s)he will improperly use or disclose the case files.
5. Contractor shall not copy or transfer the case files for any purpose other than as necessary to perform the services under this Agreement.
6. Contractor shall ensure that any third party, including a subcontractor, that is given access to the case files, executes a Confidentiality Agreement and agrees to the Special Conditions set forth herein. Contractor shall provide the Judiciary with the names of all subcontractors and other third parties given access to the case files.
7. Some case files may contain the social security numbers of individuals. Hawaii Revised Statutes chapter 487N (Security Breach of Confidential Information) requires businesses and government agencies that maintain

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<sup>1</sup>"Technological safeguards" mean the technology and the policy and procedures for use of technology to protect and control access to personal information.

and collect personal information (e.g., person's name combined with a social security number) to provide notice of any security breach of that information. In the event of any security breach of any case files, Contractor agrees to notify the Judiciary within twenty-four (24) hours of discovery of the breach. Contractor further agrees to comply with all notification requirements and/or assist the Judiciary with notification actions required by law and Judiciary policy.

8. Contractor shall securely maintain the case files until it receives directions from the Judiciary to dispose the files. Contractor shall dispose of the case files by shredding, burning, or using any other process that complies with the requirements of Hawaii Revised Statutes chapter 487R (Destruction of Personal Information Records). Contractor shall provide a statement to the Judiciary, certifying that it has disposed of the files in compliance with Hawaii Revised Statutes chapter 487R.



**Family Court of the First Judicial Circuit — THE JUDICIARY • STATE OF HAWAII**

POST OFFICE BOX 3498 • HONOLULU, HAWAII 96811-3498

FRANCES Q. F. WONG  
SENIOR JUDGE

PATRICK W. BORDER  
CIRCUIT COURT JUDGE

RHONDA A. NISHIMURA  
CIRCUIT COURT JUDGE

**DISTRICT FAMILY JUDGES**

MICHAEL F. BRODERICK  
R. MARK BROWNING  
JENNIFER L. CHING  
KENNETH E. ENRIGHT  
CHRISTINE E. KURIYAMA  
LINDA K. C. LUKE  
PAUL T. MURAKAMI  
KAREN M. RADIUS  
BODE A. UALE

**CONFIDENTIALITY AGREEMENT**

The undersigned is a prospective vendor who may seek to apply for a Judiciary contract regarding the scanning of confidential Family Court files. The undersigned desires to review an active casefile to ascertain the needs of the Judiciary. The undersigned solemnly agrees to the following:

1. All Family Court files relating to H.R.S. Chapters 571 and 587 are confidential and shall not be disclosed without the prior written approval of the Judiciary.
2. The undersigned shall review the file in a Judiciary office. Prior to review, the undersigned will inform the Judiciary in writing of the employee(s) who will perform the review. All employees reviewing the file shall sign this Agreement.
3. No documents will be copied or taken out of the Judiciary office.
4. The employee(s) reviewing the file shall not take notes of or share any information gleaned from the file.

I have read and understand this Agreement. I will obey these rules.

**Person signing on behalf of:** \_\_\_\_\_

Company's Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Employees of the Company reviewing the file:**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature